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PTO/SB/21 (08-00)

April 14, 2003

Date

Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

MARI		Application Number	09/993,888		
TRANSMITTAL FORM		Filing Date	November 27, 2001		
		First Named Inventor	Mark E. Pennell		
(to be used for all con	respondence after in	nitial filing)	Group Art Unit	2152	
			Examiner Name	not yet known	
Total Number of Pages in This Submission 6 **		Attorney Docket Number	10005.000110		
		ENCLO	SURES (check all that apply)		
Fee Transmittal Fe	orm		ment Papers Application)	After Allowance Communication to Group	
Fee Attached		☐ Drawin	g(s)	Appeal Communication to Board of Appeals and Interferences	
Amendment / Res	sponse	Licensi	ng-related Papers	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
After Final		Petition	1	Proprietary Information	
Affidavits/decl	laration(s)		to Convert to a onal Application	☐ Status Letter	
			Power of Attorney, Revocation Change of Correspondence Address Other Enclosure(s) (please identify below):		
		│ │	al Disclaimer	PTO form SB-08;	
Express Abandon	ment Request	Reques	st for Refund	Copy of listed references: (A1 – A7 documents);	
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Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53				Technology Center 2	
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Firm <i>or</i> Individual name	Patrick D. Benedicto, Reg No. 40,909 OKAMOTO & BENEDICTO LLP				
Signature	Patric Bedon				
Date	Date April 14, 2003				
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mark E. Pennell, et al.

Serial No.: 09/993,888

Filed:

November 27, 2001

Title: METHOD AND APPARATUS FOR DEFEATING A MECHANISM

THAT BLOCKS WINDOWS

Examiner: not yet known

Art Unit: 2152

Atty. Dkt. No.: 10005.000110

Commissioner of Patents Washington, DC 20231

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Under 37 C.F.R. §1.56 and §§1.97-98

INFORMATION DISCLOSURE STATEMENT

Technology Center 2100

Sir:

Pursuant to the provisions of 37 CFR 1.56 and §§1.97-98, enclosed herewith is form PTO/SB/08 (substitute for form 1449A/PTO) listing references which may be material to the examination of this application, and with respect to which there may be a duty to disclose. The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of references, or that inclusion of a reference in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

A copy of each listed reference is enclosed herewith, unless no such copy is required pursuant to 37 CFR § 1.98(d).

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior
application Serial No. [SERIAL NUMBER], filed on [FILING DATE], and the
references cited therein are hereby listed but are not required to be provided in
this application under 37 CFR § 1.98(d).

Pursuant to 37 CFR §1.97, this Information Disclosure Statement is being submitted under the section indicated below.

37 CFR §1.97(b).
37 CFR §1.97(c). If so, then either: Applicant certifies pursuant to 37 CFR § 1.97(e) that either: each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OF □ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56 (c) more than three months prior to the filing of this Statement.
OR Applicant submits the petition fee of \$180 as set forth in 37 CFR § 1.17(p).
37 CFR § 1.97(d). If so, then both: □ Applicant certifies pursuant to 37 CFR § 1.97(e) that either: □ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more that three months prior to the filing of this Statement; OR no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this certification after making reasonable inquiry, was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement.
AND Applicant submits the petition fee of \$180 as set forth in 37 CFR § 1.17(p).

Consideration of the listed references and favorable action are respectfully solicited.

Respectfully submitted, Mark E. Pennell, et al.

Dated: April 14, 2003

Patrice Beva. 00

Patrick D. Benedicto
Attorney For Applicant(s)
Reg. No. 40,909
OKAMOTO & BENEDICTO LLP
P.O. Box 641330
San Jose, CA 95164

Tel.: (408) 436-2110 Fax: (408) 436-2114

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Attorney Docket Number **

STATEMENT BY APPLICANT First Named Inventor Mark E. Pennell Group Art Unit 2152 (use as many sheets as necessary) **Examiner Name** not yet known

> of 2

Sheet

1

			U.S. PATENT I		
Examiner Initials *	Cite No.1	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevar Passages or Relevant Figures Appear
	A1	US- 5,835,722	Nov. 10. 1998	Bradshaw, et al.	
	A2	US- 5,958,015	Sept. 28, 1999	Dascalu	
	A3	US- 5,987,606	Nov. !6, 1999	Cirasole, et al.	
	A4	US- 5,996,011	Nov. 30, 1999	Humes	
	A5	US- 6,065,056	May 16, 2000	Bradshaw, et al.	
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FOREIGN PATENT DOCUMENTS						
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¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at <u>www.uspto.gov</u> or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08B(10-01)

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 2

Complete if Known				
Application Number	09/993,888			
Filing Date	November 27, 2001			
First Named Inventor	Mark E. Pennell			
Group Art Unit	2152			
Examiner Name	not yet known			
Attorney Docket Number	10005.000110			

OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS					
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	A6	Compare Prices and Read Reviews on AdsOff! Epenions.com. Webpage [online]; January 21, 2001. Obtained from corresponding International Application PCT Search Report.			
	A7	PCT International Search Report for application no. PCT/US02/35981, 3 sheets; mailed 04 April 2003.			
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